

REMARKS

Initially, Applicant would like to thank Examiner Aftergut for granting an interview and for his time spent during the interview.

Claims 14-26 are pending in the application.

Claims 14-26 are rejected as unpatentable over the admitted prior art in view of DE 3634793 and any one of EP 546,854, EP 662,389 or WO 88/06966 and optionally further in view of LEMELSON 3,779,446.

Reconsideration and withdrawal of the rejection are respectfully requested because the references do not teach or suggest forming an edge on at least one surface of each of the ends to be joined to one another, such that each edge is set back relative to a respective face surface of the ends and moving the ends toward one another during the welding process until the edges touch one another as recited in claim 14 of the present application. In addition, the references do not teach or suggest placing a hygroscopic material into each of the hollow metal section strips and placing respective ends of a stopper element into each of the ends of the hollow metal section strip to be joined to one another to prevent the hygroscopic material from leaking out.

By way of example, Figure 2 of the present application shows edges 7 on at least one surface 2 of metal strips 1. The edges are set back from the end faces 5 such that relative to a

respective end face 5 a step is formed as more clearly shown in Figure 3. During the welding process, the end faces 5 are pressed against one another in the direction of the arrows in Figure 3 and welding continues until the edges 7 touch one another. As soon as the edges 7 touch one another as seen in Figure 4, the welding process is stopped.

Figures 3 and 4 of the present application show a hygroscopic material 8 placed into each of the hollow metal section strips 2. As disclosed on page 5, lines 1-8 of the present application, respective ends of a stopper element 9 are placed into each of the ends of the hollow metal section strip 2 to be joined to one another to prevent the hygroscopic material 8 from leaking out.

As set forth during the interview, the cited references are directed to methods of welding plastic material. Applicant submits herewith a declaration under Rule 132 averring that the plastics perform differently during the method of welding plastic members than the metal members of the present invention.

Specifically, the declaration sets forth that the welding in the prior art fills the cut until the abutting pressure is stopped. Accordingly, if the abutting pressure is continued until the edges of the cut touch one another, then there will be a significant unwanted bead. Therefore, one of ordinary skill in the art based on the teachings of the cited

references would stop the welding process prior to the edges touching to prevent any bead.

In addition, in an attempt to further distinguish over the cited art, claim 14 is amended to include the limitation of a hygroscopic material in the hollow metal section. As known in the art, such a hygroscopic material is used to absorb moisture from, for example, glass. Each of the prior art references is concerned with preventing or minimizing a weld on an internal surface of the tube. The tubes of the prior art are used to transport fluids. A bump would interfere with the fluid flow. Placing a hygroscopic material would completely block the fluid flow. Accordingly, one of ordinary skill in the art would not look to the teachings of the plastic tube welding art to render obvious the claims of the present invention.

LEMELSON is only cited for the teaching that an article to be welded can be thermoplastic or metal. However, the welding in LEMELSON is based on cold pressure welding and friction welding wherein members are rotated as they are pressed together. LEMELSON does not teach or suggest that butt welding is equally applicable to metals and thermoplastics. LEMELSON also does not teach or suggest what is recited in claim 14.

Accordingly, the proposed combination of references would not render obvious the claims of the present invention. Claims 15-21 depend from claim 14 and further define the

invention and are also believed patentable over the cited prior art.

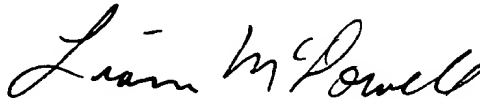
Claim 22 provides that the ends are moved together until the edges touch one another. Claim 22 is also directed to butt welding metal members. The comments above regarding claim 14 are equally applicable to claim 22. Claims 23-26 depend from claim 22 and further define the invention and are also believed patentable over the cited prior art.

In view of the present amendment, the Declaration under Rule 132 and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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